

## **REMARKS**

Claim 1 has been amended. Claims 26 - 28 have been added. No new matter has been introduced with these amendments or added claims, all of which are supported in the application as originally filed. Claims 1, 4, and 26 - 28 are now in the application.

Applicants are not conceding that the subject matter encompassed by the claims as presented prior to this Amendment is not patentable over the art cited by the Examiner, and claim amendments and cancellations in the present application are directed toward facilitating expeditious prosecution of the application and allowance of the currently-presented claims at an early date. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this Amendment and additional claims, in one or more continuing applications.

### **I. Rejection under 35 U. S. C. §103(ea)**

Paragraph 4 of the Office Action dated December 4, 2008 (hereinafter, “the Office Action”) states that Claims 1 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent 7,139,766 to Thomson et al. (hereinafter, “Thomson”) in view of U. S. Patent 6,691,106 to Sathyanarayan. This rejection is respectfully traversed with regard to Claims 1 and 4 as currently presented.

Applicants note that the Office Action states, on page 2, last 2 lines, that “for building” should be replaced with “to build” in the claim language currently presented on line 2 of Claim 1.

In the interest of progressing rapidly to issuance, this suggestion has been accommodated herein.

Applicants also note that the Office Action states, on page 3, first 2 lines, that “lacks existing interface” is interpreted as “no data is available until the report is generated according to user’s query definition”. This is an incorrect interpretation of the claim language. That is, Applicants have recited that the Web page “lacks an already-existing query user interface”: therefore, the user has no way to generate such “report” because there is no way to provide input for issuing the query. This is the problem to which Claim 1 is directed. See, for example, Specification page 2, lines 14 - 15 (referring to “a content provider has not provided a subscription interface, then users are unable to subscribe to the content”) and the carryover paragraph on pages 6 - 7 (referring to using the present invention “for building more general queries” which are not limited to content subscriptions). In the interest of progressing rapidly to issuance, Applicants have amended Claim 1 herein to recite “wherein the Web page lacks a query user interface”, and respectfully submit that this should resolve any remaining confusion.

Applicants note that the Office Action states, on page 3, lines 6 - 7, that “thereby” and “for displaying” should be replaced with “which” and “to display” in the claim language currently presented on lines 13 - 15 of Claim 1. In the interest of progressing rapidly to issuance, these suggestions have been accommodated herein.

The Office Action states, on page 3, lines 7 - 9, that “query parameter name” has no direct definition in the Specification. The term “query parameter” is used in the Specification, and

Applicants respectfully submit that one of ordinary skill in the art understands this to mean the parameter name (as distinguished from the parameter value), which generally corresponds to the column heading of the sample tables as illustrated in Figs. 1 - 2.

Applicants note that the Office Action states, on page 3, line 14, that “if” should be replaced with “when” in the claim language currently presented on line 18 of Claim 1. In the interest of progressing rapidly to issuance, these suggestions have been accommodated herein.

Turning now to a discussion of the cited references, Applicants respectfully submit that Thomson pertains to a scenario where a query interface is already present, in sharp contrast to the recitations on lines 3 - 5 of Claim 1. See, for example, col. 4, lines 60 - 67, defining a term “Business Objects Universe” as providing tools “plus key metadata that assists the query tools/clients in building a query”. Clearly, this indicates that there are query tools, and this implies that there is already a query interface. See also col. 2, lines 20 - 25, discussing the problem being solved as a need to “allow navigation back and forth” between OLAP and relational database technologies, and col. 2, lines 37 - 41, referring to the “OLAP interface” that exists in the prior art for querying this relational database data. See also:

- col. 7, lines 28 - 29, stating “One preferred embodiment of the invention uses existing query tools ...”, emphasis added;
- col. 8, lines 19 - 20, stating “Because UDS uses existing query tools and reports as the starting and end-points ...”, emphasis added;
- col. 8, lines 27 - 29, stating “... the target report is in no way different than if the

user had created the report using the user interface of the client *query tools*”,  
emphasis added.

Thus, Applicants respectfully submit that Thomson cannot be used to render Claim 1 obvious.

Furthermore, the Office Action admits that Thomson “does not specifically teach” Applicants’ recited “programmatically determining a current context of a user ..., the current context comprising at least one of ...”, referring to lines 5 - 8 of Claim 1 as previously presented. Office Action, page 4, line 17 - page 5, line 3. Sathyanarayan is then cited as teaching this claim language. Office Action, page 5, lines 4 - 13. In particular, for the recitations

the current context comprising at least one of: an identification of the user;  
a role of the user; the device used by the user; a geographical location of the user;  
and preferences of the user

from lines 5 - 8 of Claim 1, the Office Action cites Sathyanarayan as teaching only the “preferences of the user” claim language that was previously recited on line 8 of Claim 1. This claim language has been deleted herein.

Given that the Office Action admits that the remaining recitations in “the current context comprising ...” claim language from lines 5 - 8 of Claim 1 are “not specifically [taught]” by Thomson, and that no citation to Sathyanarayan is provided for any of the remaining recitations (i.e., identification of the user, role of the user, device used by the user, and geographical location of the user), Applicants respectfully submit that the Office Action fails to make out a *prima facie* case of obviousness as to Claim 1. Claim 1 is therefore not rendered obvious by the cited references.

Finally, Applicants respectfully note that the Office Action also fails to provide any citation for the claim language on lines 10 - 11 (i.e., “programmatically determining, based on the specified content values, a plurality of content types corresponding thereto”). For this reason also, the Office Action fails to make out a *prima facie* case of obviousness as to Claim 1.

Sathyanarayan does not cure the above-described deficiencies of Thomson.

Sathyanarayan is directed toward building a portal, based on a user’s interests as determined from information stored on the user’s computer. See the Abstract and the discussion of sources of information at col. 3, line 34 - col. 4, line 10; col. 5, lines 4 - 23; and col. 5, line 45 - col. 6, line 9. However, it is clear from review of the Sathyanarayan text that the queries are being generated and executed automatically. See, for example, col. 6, lines 56 - 65 and col. 7, lines 53 - 57. Notably, there is no discussion of presenting the generated query to the user on any type of query interface. This approach is distinct from Applicants’ recited claim language, which is directed toward building a query interface from which the *user* can make selections for building a query.

In view of the above, Applicants respectfully submit that independent Claim 1 is patentable over the references as currently presented. Independent Claims 27 and 28 recite similar claim language, and are therefore deemed patentable for the same reasons discussed above. Dependent Claim 4 is deemed patentable by virtue of the allowability of the independent claim from which it depends. The Examiner is therefore respectfully requested to withdraw the §103 rejection of all claims as currently presented.

II. Conclusion

Applicants respectfully request reconsideration of the pending rejected claims, withdrawal of all presently outstanding rejections, and allowance of all remaining claims at an early date. The Examiner is requested to call the undersigned Applicants' attorney if deemed useful to advancing prosecution of the application.

Respectfully submitted,

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